

Please type a plus sign (+) inside this box →

PTO/SB/19 (8-96)  
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>NEW PLANT PATENT APPLICATION TRANSMITTAL</b>  <i>(to be used for new applications only)</i>	Attorney Docket Number	W-3948
	First Named Inventor	Gregory R. Smith
	Total Pages in this Submission	

### APPLICATION ELEMENTS

**Notice:** Checklist items mentioned under *Application Elements* section construct a new plant patent application. Please refer to MPEP Sections 506, 601, 1600 (37 CFR 1.53, 35 USC 111, 112, 113) for detailed explanation regarding completeness of an original plant application.

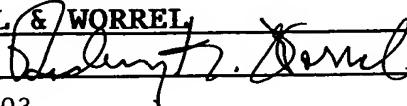
1.  Fee Transmittal Form (prescribed filing fee(s))
2. Specification
  - Title of the Invention (*with Plant's name*)
  - Cross References to Related Applications (*if applicable*)
  - Statement Regarding Federally-sponsored Research/Development (*if applicable*)
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings
  - Detailed Botanical Description
  - Claim
  - Abstract of the Disclosure
3.  Drawing(s) in duplicate (*as prescribed by 35 USC 165*)
4.  Executed Declaration
5.  Plant Color Coding Sheet

### ACCOMPANYING APPLICATION PARTS

6.  Assignment Papers
7.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
8.  English Translation Document (*if applicable*)
9.  Information Disclosure Statement/PTO-1449  Copies of IDS Citations
10.  Petition Checklist and Accompanying Petition
11.  Preliminary Amendment
12.  Proprietary Information
13.  Return Receipt Postcard
14.  Small Entity Statement
15.  Additional Enclosures (*please identify below*):

**Copy of Specification for  
U.S. Department of  
Agriculture**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	RODNEY K. WORREL WORREL & WORREL	
Signature		
Date	10/30/03	

### FOR OFFICIAL USE ONLY

Application Number			Class		Independent Claims	
Date of Receipt	Application Type		GAU		Total Claims	
	Filing Date		Foreign Filing License?		Drawing Sheets	
	Small Entity		Foreign Address?		Special Handling?	

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PTO/SB/17 (10-96)

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**FEE TRANSMITTAL**

TOTAL AMOUNT OF PAYMENT (\$ 265.00)

*Complete if Known*

Application Number	
Filing Date	
First Named Inventor	Gregory R. Smith
Group Art Unit	
Examiner Name	
Attorney Docket Number	W-3948

METHOD OF PAYMENT (check one)			FEE CALCULATION (continued)																																																																																																																														
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number <b>23-3185</b></p> <p>Deposit Account Name <b>Worrel &amp; Worrel</b></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17    <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b)</p>			<p><b>3. ADDITIONAL FEES</b></p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205 65 Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227 25 Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139 130 Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,460</td><td>147 2,460 For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>900</td><td>112 900 Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,790</td><td>113 1,790 Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215 55 Extension for response within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216 195 Extension for response within second month</td><td></td></tr> <tr><td>117</td><td>930</td><td>217 465 Extension for response within third month</td><td></td></tr> <tr><td>118</td><td>1,470</td><td>218 735 Extension for response within fourth month</td><td></td></tr> <tr><td>119</td><td>300</td><td>219 150 Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>300</td><td>220 150 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>260</td><td>221 130 Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,470</td><td>138 1,470 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240 55 Petition to revive unavoidably abandoned application</td><td></td></tr> <tr><td>141</td><td>1,290</td><td>241 645 Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>142</td><td>1,290</td><td>242 645 Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>440</td><td>243 220 Design issue fee</td><td></td></tr> <tr><td>144</td><td>650</td><td>244 325 Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122 130 Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123 50 Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>230</td><td>126 230 Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581 40 Recording each patent assignment per property (list no. of properties)</td><td></td></tr> <tr><td>146</td><td>770</td><td>246 385 Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149</td><td>770</td><td>249 385 For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td colspan="4">Other fee (specify) _____</td></tr> <tr><td colspan="4">Other fee (specify) _____</td></tr> <tr> <td colspan="3">SUBTOTAL (1) (\$ 265.00)</td> <td colspan="3">SUBTOTAL (3) (\$ 0)</td> </tr> <tr> <td colspan="6">* Reduced by Basic Filing Fee Paid</td> </tr> </tbody> </table>			Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105	130	205 65 Surcharge - late filing fee or oath		127	50	227 25 Surcharge - late provisional filing fee or cover sheet.		139	130	139 130 Non-English specification		147	2,460	147 2,460 For filing a request for reexamination		112	900	112 900 Requesting publication of SIR prior to Examiner action		113	1,790	113 1,790 Requesting publication of SIR after Examiner action		115	110	215 55 Extension for response within first month		116	390	216 195 Extension for response within second month		117	930	217 465 Extension for response within third month		118	1,470	218 735 Extension for response within fourth month		119	300	219 150 Notice of Appeal		120	300	220 150 Filing a brief in support of an appeal		121	260	221 130 Request for oral hearing		138	1,470	138 1,470 Petition to institute a public use proceeding		140	110	240 55 Petition to revive unavoidably abandoned application		141	1,290	241 645 Petition to revive unintentionally abandoned application		142	1,290	242 645 Utility issue fee (or reissue)		143	440	243 220 Design issue fee		144	650	244 325 Plant issue fee		122	130	122 130 Petitions to the Commissioner		123	50	123 50 Petitions related to provisional applications		126	230	126 230 Submission of Information Disclosure Stmt		581	40	581 40 Recording each patent assignment per property (list no. of properties)		146	770	246 385 Filing a submission after final rejection (37 CFR 1.129(a))		149	770	249 385 For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify) _____				Other fee (specify) _____				SUBTOTAL (1) (\$ 265.00)			SUBTOTAL (3) (\$ 0)			* Reduced by Basic Filing Fee Paid					
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SUBMITTED BY			Complete (if applicable)	
Typed or Printed Name	Rodney K. Worrel			Reg. Number 27,475
Signature				Date 10-30-03 Deposit Account User ID 23-3185

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Attorney's Docket No. W-3948**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gregory R. Smith  
 Serial No.:                                  Group No.:  
 Filed:                                      Examiner:  
 For: Pomegranate Tree Denominated Smith

**Commissioner of Patents**

P. O. Box 1450  
 Alexandria, VA 22313-1450

**EXPRESS MAIL CERTIFICATE**

"Express Mail" label number EL557780112US

Date of Deposit 10-30-03

I hereby certify that the following attached paper or fee

Copy of Specification; New Plant Patent Application Transmittal; Fee Transmittal Form; Check in the amount of \$265.00; Title of the Invention; Cross References to Related Applications; Statement Regarding Federally Sponsored Research Or Development; Background of The Invention; Brief Summary of The Invention; Brief Description of the Drawing; Detailed Botanical Description; Claim; Abstract; (2) Photographs; Plant Patent Application Declaration; Plant Color Coding Sheet; Submission of Verified Statement; Small Entity Statement-Independent Inventor; Information Disclosure Statement (PTO-1449); Combined Declaration and Power of Attorney; and return card.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Rodney K. Worrel

(typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

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**PLANT  
COLOR CODING SHEET**

(to be used for new applications only)

				Attorney Docket Number	W-3948
				First Named Inventor	Gregory R. Smith
<b>FOR OFFICIAL USE ONLY</b>					
				Date of Receipt	
Sheet	1	of	1	Application Number	

**PLEASE LIST THE ITEM TO WHICH COLOR IS A DISTINGUISHING FEATURE, THE COLOR CODE WHICH BEST REPRESENTS THAT PLANT STRUCTURE AND THE COLOR CODE SYSTEM.**

ITEM	COLOR
TRUNK:	Brownish Manan (6-A-9)
BRANCHES:	
Mature Branches:	Moss Green (21-L-2)
Immature Brnches:	Brown Sugar (15-H-4)
LEAVES:	
Upwardly Disposed Surface:	Mt. Vernon Green (23-J-8)
Downwardly Disposed Surface:	Piquant Green (20-K-6)
FLOWERS:	
Flower Buds:	Barberry (5-L-7)
Petals:	Barberry (5-L-7)
Anther:	Tourquet (4-B-8)
Filaments:	Red
FRUIT:	
Exterior:	Afghan (5-L-6)
Partition:	Maise (10-G-5)
Aril:	Azalea (4-I-3) to clear
Skin - Blush Color - Exterior:	Afghan (5-L-6)
Flesh Color - Aril:	Moderate Red to Strong Red
COLOR CODE SYSTEM:	Dictionary of Color, Maerz & Paul, 1st Edition, 1930

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